

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DERRICK L. JOHNSON

v.

MICHAEL J. ASTRUE

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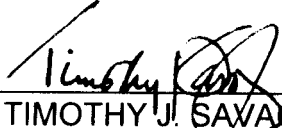
CIVIL ACTION

NO. 09-3635

ORDER

**AND NOW**, this 8th day of September, 2010, upon consideration of the plaintiff's Request for Review (Document No. 8), the defendant's response (Document No. 9), the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey (Document No. 12), the lack of any objection to the Report and Recommendation, and after a thorough and independent review of the record, it is **ORDERED** as follows:

1. The Magistrate Judge's Report is **APPROVED** and her Recommendation is **ADOPTED**;
2. The plaintiff's Request for Review is **GRANTED IN PART** and **DENIED IN PART**; and
3. This case is **REMANDED** to the Commissioner of Social Security for further proceedings consistent with the Report and Recommendation, pursuant to the fourth sentence of 42 U.S.C. § 405(g).

  
TIMOTHY J. SAVAGE, J.